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#### Fresh Products, Inc. v. Impact Products, LLC, Case No. 3:19-cv-02109-JZ Exhibit B to Joint Claim Construction and Prehearing Statement

# **Amended Disputed Terms and Proposed Constructions/Evidence**

U.S. Pat. No. 10,145,098 (the "098 Pat.") and U.S. Pat. No. 10,501,924 (the "924 Pat.")					
Disputed Claim Terms	Plaintiff's Proposed	Plaintiff's Citation	Defendant's Proposed	<b>Defendant's Citation</b>	
	Construction/	to Intrinsic and	Construction/	to Intrinsic and	
	Importance to	<b>Extrinsic Evidence</b>	Importance to	Extrinsic Evidence	
	Outcome		Outcome		
"urinal screen"	Plain and ordinary	'098 Patent claims 1,	For '098 – claim 19	098 Pat., 1:13-15, 1:19-	
(098 Pat., Claims 19, 27, 32)	meaning.	11-12, 16, 19, 21-22,	and dependents (other	22.	
		35-36, 38-39, and 41-	than claim 22):		
098 Pat., Cl. 19. A <u>urinal screen</u> comprising:	If further defined, a	46.	Preamble term. Not	U.S. Pat. 8,856,977	
a frame having:	screen used in a		limiting.	(IMPACT000229-249),	
a first face;	urinal and through	'924 Patent claims 1-		at 1:24-28; U.S. Pat.	
a second face opposite the first face; and	which urine passes.	3, 14- 17, 19-24, 26,		5,813,058	
a plurality of interconnected cells at least partially		28-31, and 33.		(IMPACT000379-386),	
defined by a plurality of braces that intersect at				at 1:20-43; U.S. Pat.	
comers, the plurality of interconnected cells		'098 Specification:		5,398,347	
comprising at least a plurality of perimeter cells		1:13-15; 1:19-22;		(IMPACT000368-376),	
and a plurality of interior cells;		3:66-4:8; 4:16-34;		at 1:28-29, 1:42-47;	
wherein the plurality of interior cells comprises a		5:4-9; and 6:58-7:11.		U.S. Pat. 3,248,740	
first cell, a second cell, and a third cell, said first				(IMPACT000094-96),	
cell and said second cell each partially defined		'098 Patent FH:		at 1:10-16; U.S. Pat.	
by a first brace positioned between said first cell		September 27, 2017		3,170,169	
and said second cell, said second cell and said		OA Response; May		(IMPACT000091-93),	
third cell each partially defined by a second		23, 2018 Summary of		at 1:9-21; U.S. Pat.	
brace positioned between said second cell and		Interview; and		1,186,345	
said third cell, and said first cell and said third		October 2, 2018		(IMPACT000319-321),	
cell each partially defined by a third brace		Summary of		at 1:10-14.	
positioned between said first cell and said third		Interview.			
cell;					
wherein each of the first brace, the second brace,					
and the third brace comprises a first end and a					
second end, and wherein:					

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the first end of the first brace intersects at a comer with the two other braces;				_
the first end of the second brace intersects at a comer				
with the two other braces; and				
the first end of the third brace intersects at a comer				
with the two other braces;				
a plurality of first posts each connected to a brace or				
corner of the frame and extending from away				
from the first face of the frame, and				
a plurality of second posts each connected to a brace				
or corner of the frame and extending away from				
the second face of the frame.				
the second face of the frame.				
098 Pat., Cl. 27. The <u>urinal screen</u> of claim 19,				
wherein at least some of the plurality of				
interconnected cells comprise a polygonal shape.				
micromiceted cons comprise a porygonal snape.				
098 Pat., Cl. 32. The <u>urinal screen</u> of claim 19,				
wherein each of the plurality of first posts is				
connected to a comer of the frame, and each of the				
plurality of second posts is connected to a comer of				
the frame.				
"face"	Plain and ordinary	'098 Patent claims 1,	Planar surface of a	098 Pat., 1:26-33, 2:19-
(098 Pat., Claims 19, 38)	meaning.	11-13, 15, 17-19, 21,	solid.	22, 3:4-7, 3:21-26,
		23-24, 35-36, 38, 40-		4:50-54.
098 Pat., Cl. 19. A urinal screen comprising:	If further defined, a	46, 48-50, and 55.		
a frame having:	main side of a thing.			WEBSTER'S NEW
a first <u>face</u> ;		'098 Specification:		COLLEGE DICTIONARY
a second <u>face</u> opposite the first <u>face</u> ; and		Abstract, 1:26-33;		(3rd ed. 2008)
a plurality of interconnected cells at least partially		1:65-2:33; 2:61-3:17;		(FRESHPR0000843);
defined by a plurality of braces that intersect at		3:21-3:40; 3:43-46;		THE AMERICAN
comers, the plurality of interconnected cells		4:50-63; 5:4-9; 5:47-		HERITAGE
		6:25; and 6:33-7:11.		

comprising at least a plurality of perimeter cells			DICTIONARY OF THE
and a plurality of interior cells;	Fi	igures 1-5.	ENGLISH LANGUAGE
wherein the plurality of interior cells comprises a			(5th ed. 2011)
first cell, a second cell, and a third cell, said first	$ F_{\epsilon} $	Tace, Webster's New	(FRESHPR000837).
cell and said second cell each partially defined	C	College Dictionary	,
by a first brace positioned between said first cell	$\overline{(3)}$	3 <sup>rd</sup> ed. 2008)	
and said second cell, said second cell and said		• "8. The most	
third cell each partially defined by a second		significant or	
brace positioned between said second cell and		prominent	
said third cell, and said first cell and said third		surface of an	
cell each partially defined by a third brace		object, esp.: a.	
positioned between said first cell and said third		The surface	
cell;		presented to	
wherein each of the first brace, the second brace,		view:	
and the third brace comprises a first end and a		FRONT. b. a	
second end, and wherein:		façade. c. The	
the first end of the first brace intersects at a comer		outer surface	
with the two other braces;		<on face<="" td="" the=""><td></td></on>	
the first end of the second brace intersects at a comer		of the earth>	
with the two other braces; and		d. A marked	
the first end of the third brace intersects at a comer		side <the face<="" td=""><td></td></the>	
with the two other braces;		of a watch> e.	
a plurality of first posts each connected to a brace or		The right side,	
corner of the frame and extending from away		as of fabric. F.	
from the first <u>face</u> of the frame, and		an exposed,	
a plurality of second posts each connected to a brace		often	
or corner of the frame and extending away from		precipitous	
the second <u>face</u> of the frame.		surface of	
		rock."	
098 Pat., Cl. 38. A urinal screen comprising:		• "9. A planar	
a frame having:		surface	
a first face:		bounding a	
a second <u>face</u> opposite the first <u>face</u> ; and		solid."	

a plurality of openings extending through the frame		
between the first <u>face</u> and the second <u>face</u> ;	Face, The American	
a plurality of first posts extending from the first <u>face</u>	<b>Heritage Dictionary</b>	
of the frame; and	of the English	
a plurality of second posts extending from the	Language (5 <sup>th</sup> ed.	
second <u>face</u> of the frame;	2011)	
wherein a plurality of ends of the plurality of first	• "8. The most	
posts form a base upon which the urinal screen	significant or	
rests when the plurality of second posts point	prominent	
away from a surface upon which the urinal	surface of an	
screen is set;	object, esp.: a.	
wherein a plurality of ends of the plurality of second	The surface	
posts form a base upon which the urinal screen	presented to	
rests when the plurality of first posts point away	view:	
from a surface upon which the urinal screen is	FRONT. b. a	
set;	façade. c. The	
wherein a number of said plurality of first posts and	outer surface	
a number of said plurality of second posts are	<on <i="" the="">face</on>	
positioned along a perimeter of at least some of	of the earth>	
the plurality of openings, so as to surround the at	d. A marked	
least some of the plurality of openings; and	side <the face<="" td=""><td></td></the>	
wherein, when the urinal screen is set upon a surface	of a watch> e.	
in a urinal such that the first or second <u>face</u> of the	The right side,	
frame is oriented toward the surface upon which	as of fabric. F.	
the urinal screen is set, the frame is positioned	an exposed,	
away from the surface by at least ¼ of a	often	
thickness of the urinal screen as measured	precipitous	
perpendicular to the first <u>face</u> of the frame, such	surface of	
that posts positioned between the frame and the	rock."	
surface upon which the urinal screen is set can	• "9. A planar	
reduce splashing on a user of the urinal by	surface of a	
deflecting a flow of mine which passes through	geometric	
said plurality of openings.	solid"	

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		Face, Collins Dictionary (10 <sup>th</sup> ed. 2009)  • "8 the main side of an object, building, etc. or the front: the face of a palace; a cliff face"		
"cell"	Plain and ordinary	'098 Patent claims	Indefinite.	098 Pat., 3:27-30, 3:37-
(098 Pat., Claims 19, 20, 27; 924 Pat., Claims 1, 21,	meaning.	19-20, 25-28, and 34.		40, 4:35-41, 4:63-65,
28 (and dependents)				5:12-27, 7:30-36; 098
	If further defined,	'924 Patent claims 1,		Pat. File History
098 Pat., Cl. 19. A urinal screen comprising:	small enclosed	5-7, 21 and 28.		(FRESHPR0000424,
a frame having:	openings or spaces.			438-439).
a first face;		'098 Specification:		
a second face opposite the first face; and		Abstract; 3:27-42;		ASTM
a plurality of interconnected <u>cells</u> at least partially		and 4:63-5:32.		DICTIONARY OF
defined by a plurality of braces that intersect at				ENGINEERING SCIENCE
comers, the plurality of interconnected <u>cells</u>		Figures 1-4.		& TECHNOLOGY (10th
comprising at least a plurality of perimeter <u>cells</u>				ed. 2005)
and a plurality of interior <u>cells</u> ;		'098 Patent FH:		(IMPACT000934-940),
wherein the plurality of interior cells comprises a		March 17, 2017 OA		at 91;
first <u>cell</u> , a second <u>cell</u> , and a third <u>cell</u> , said first		Response; September		SPI PLASTICS
<u>cell</u> and said second <u>cell</u> each partially defined		27, 2017 OA		Engineering
by a first brace positioned between said first <u>cell</u>		Response.		HANDBOOK OF THE
and said second <u>cell</u> , said second cell and said				SOCIETY OF THE
third <u>cell</u> each partially defined by a second				PLASTICS INDUSTRY,
brace positioned between said second <u>cell</u> and				INC.

said third <u>cell</u> , and said first <u>cell</u> and said third   Cell, <u>Webster's New</u>	(Berins M.L. ed. 1991)
<u>cell</u> each partially defined by a third brace <u>College Dictionary</u>	(IMPACT000798-799),
positioned between said first <u>cell</u> and said third (3 <sup>rd</sup> ed. 2008)	at 541-542;
<u>cell;</u> • "2. a small	Polymer Technologies,
wherein each of the first brace, the second brace, enclosed	Open vs. Closed Cell
and the third brace comprises a first end and a cavity or	Foam:
second end, and wherein: space, as in a	Understanding
the first end of the first brace intersects at a comer honeycomb."	Permeability, The
with the two other braces;	Official Blog of
the first end of the second brace intersects at a comer   Cell, Chambers	Polymer Technologies,
with the two other braces; and Dictionary of Science	Inc. (August 24, 2018),
the first end of the third brace intersects at a comer and Technology	https://blog.polytechinc
with the two other braces; (2007)	.com/open-vs-closed-
a plurality of first posts each connected to a brace or • "(MathSci)	<u>cell-foam</u>
corner of the frame and extending from away  Small-volume	(IMPACT000800-807);
from the first face of the frame, and unit in a	U.S. Pat. Pub.
a plurality of second posts each connected to a brace mathematical	2014/0259344
or corner of the frame and extending away from coordinate	(IMPACT000060-85),
the second face of the frame.	at FIG. 1; U.S. Pat.
	Pub. 2010/0183694
098 Pat. Cl. 20. The urinal screen of claim 19,	(IMPACT000032-35),
wherein the plurality of interconnected <u>cells</u> form a <u>Dictionary</u> (10 <sup>th</sup> ed.	at ¶011; Declaration of
tessellation.	Fred Smith, PE, CSP.
• "2 any small	
098 Pat., Cl. 27. The urinal screen of claim 19,	
wherein at least some of the plurality of the cells of a	
interconnected <u>cells</u> comprise a polygonal shape  honeycomb"	
924 Pat., Cl. 1. A reversible urinal screen Rebuttal Report of	
comprising: Randy Hurd, PhD.	
a plurality of interconnected <u>cells</u> that form a	
tessellation of openings,	

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wherein a perimeter of each of a majority of			
openings of the tessellation of openings is at			
least partially defined by three or more braces of			
a plurality of braces, with a majority of the			
plurality of braces being shared by multiple			
openings; and			
a plurality of posts to deflect urine when the			
reversible urinal screen is placed upon a urinal			
surface, the plurality of posts connected to the			
plurality of braces and positioned such that:			
when the reversible urinal screen is placed upon the			
urinal surface in a first orientation, a first			
plurality of tips of the plurality of posts support			
the plurality of braces above the urinal surface,			
and a second plurality of tips of the plurality of			
posts are positioned above the plurality of			
braces, and			
when the reversible urinal screen is placed upon the			
urinal surface in a second orientation, the second			
plurality of tips of the plurality of posts support			
the plurality of braces above the urinal surface,			
and the first plurality of tips of the plurality of			
posts are positioned above the plurality of			
braces, and			
wherein at least some of the plurality of braces			
comprise contoured upper and lower surfaces to			
deflect urine when the reversible urinal screen is			
placed upon the urinal surface in either of the			
first or second orientations.			
924 Pat., Cl. 21. A reversible urinal screen			
comprising:			

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a plurality of interconnected <u>cells</u> that form a		
tessellation of openings,		
wherein a perimeter of each of a majority of		
openings of the tessellation of openings is at		
least partially defined by three or more braces of		
a plurality of braces, with a majority of the		
plurality of braces being shared by multiple		
openings;		
a solid portion positioned between at least some of		
the openings of the tessellation of openings, the		
solid portion occupying an area greater than or		
equal to ten of the openings of the tessellation of		
openings; and		
a plurality of posts to deflect urine when the		
reversible urinal screen is placed upon a urinal		
surface, the plurality of posts connected to the		
plurality of braces and positioned such that:		
when the reversible urinal screen is placed upon the		
urinal surface in a first orientation, a first		
plurality of tips of the plurality of posts support		
the plurality of braces above the urinal surface,		
and a second plurality of tips of the plurality of		
posts are positioned above the plurality of		
braces, such that at least a portion of the plurality		
of posts between the second plurality of tips and		
the plurality of braces can reduce splashing of		
urine impacting the urinal screen from above,		
and at least a portion of the plurality of posts		
between the first plurality of tips and the		
plurality of braces can reduce splashing of urine		
that has passed through the tessellation of		
openings, and		

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when the reversible urinal screen is placed upon the			
urinal surface in a second orientation, the second			
plurality of tips of the plurality of posts support			
the plurality of braces above the urinal surface,			
and the first plurality of tips of the plurality of			
posts are positioned above the plurality of			
braces, such that at least a portion of the plurality			
of posts between the first plurality of tips and the			
plurality of braces can reduce splashing of urine			
impacting the urinal screen from above, and at			
least a portion of the plurality of posts between			
the second plurality of tips and the plurality of			
braces can reduce splashing of urine that has			
passed through the tessellation of openings,			
wherein at least some of the plurality of braces			
comprise contoured upper and lower surfaces to			
deflect urine when the reversible urinal screen is			
placed upon the urinal surface in either of the			
first or second orientations,			
wherein, when the urinal screen is placed upon a			
horizontal surface, a thickness of the majority of			
the plurality of braces as measured perpendicular			
to the horizontal surface is less than or equal to			
½ of an overall thickness of the urinal screen as			
measured perpendicular to the horizontal surface,			
wherein a majority of the plurality of posts that are			
connected to the plurality of braces are			
connected at corners of the interconnected <u>cells</u> ,			
wherein some openings of the tessellation of			
openings comprise a different perimeter shape			
than other openings of the tessellation of			
openings, and			

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wherein the plurality of braces, the plurality of posts,		
and the solid portion comprise a fragranced EVA material.		
material.		
924 Pat., Cl. 28. A reversible urinal screen		
comprising:		
a plurality of interconnected <u>cells</u> that form a		
tessellation of openings,		
wherein a perimeter of each of a majority of		
openings of the tessellation of openings is at		
least partially defined by three or more braces of		
a plurality of braces, with a majority of the		
plurality of braces being shared by multiple		
openings;		
a solid portion positioned between at least some of		
the openings of the tessellation of openings, the		
solid portion occupying an area greater than or		
equal to ten of the openings of the tessellation of openings; and		
a plurality of posts to deflect urine when the		
reversible urinal screen is placed upon a urinal		
surface, the plurality of posts connected to the		
plurality of braces and positioned such that:		
when the reversible urinal screen is placed upon the		
urinal surface in a first orientation, a first		
plurality of tips of the plurality of posts support		
the plurality of braces above the urinal surface,		
and a second plurality of tips of the plurality of		
posts are positioned above the plurality of		
braces, such that at least a portion of the plurality		
of posts between the second plurality of tips and		
the plurality of braces can reduce splashing of		

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urine impacting the urinal screen from above,		
and at least a portion of the plurality of posts		
between the first plurality of tips and the		
plurality of braces can reduce splashing of urine		
that has passed through the tessellation of		
openings, and		
when the reversible urinal screen is placed upon the		
urinal surface in a second orientation, the second		
plurality of tips of the plurality of posts support		
the plurality of braces above the urinal surface,		
and the first plurality of tips of the plurality of		
posts are positioned above the plurality of		
braces, such that at least a portion of the plurality		
of posts between the first plurality of tips and the		
plurality of braces can reduce splashing of urine		
impacting the urinal screen from above, and at		
least a portion of the plurality of posts between		
the second plurality of tips and the plurality of		
braces can reduce splashing of urine that has		
passed through the tessellation of openings,		
wherein, when the urinal screen is placed upon a		
horizontal surface, a thickness of the majority of		
the plurality of braces as measured perpendicular		
to the horizontal surface is less than or equal to		
½ of an overall thickness of the urinal screen as		
measured perpendicular to the horizontal surface,		
wherein the perimeter of each of the majority of		
openings of the tessellation of openings		
comprises a plurality of corners, with a post		
being connected at each of the corners, and		
wherein the plurality of braces, the plurality of posts,		
and the solid portion comprise a fragranced EVA		
material.		

"tessellation" / "tessellation of openings"	An arrangement of	'098 Patent claim 20.	Tessellation: a pattern	098 Pat., FIGS. 1-4,
(098 Pat., Claim 20; 924 Pat., Claim 1)	openings closely		capable of covering of	1:39-40, 3:40-42, 4:35-
	fitted together.	'924 Patent claims 1,	an infinite geometric	41, 4:63-5:3.
098 Pat. Cl. 20. The urinal screen of claim 19,		3, 8-13, 21, 24, 28,	plane without gaps or	
wherein the plurality of interconnected cells form a		and 31.	overlaps by one or a	WOLFRAM
tessellation.			few repeating	MATHWORLD,
		'098 Specification:	congruent plane	https://mathworld.wolfr
924 Pat., Cl. 1. A reversible urinal screen		1:34-64; 3:41-42 and	figures. Otherwise,	am.com/Tessellation.ht
comprising:		4:63-5:3.	indefinite.	ml
a plurality of interconnected cells that form a				(visited April 26, 2020)
tessellation of openings,		Figures 1-4.	Tessellation of	(IMPACT000827-829);
wherein a perimeter of each of a majority of			openings:	Merriam-
openings of the <u>tessellation of openings</u> is at		'098 Patent FH:	a pattern of openings	WEBSTER.COM
least partially defined by three or more braces of		March 17, 2017 OA	comprising one or a	DICTIONARY (updated
a plurality of braces, with a majority of the		Response.	few repeating shapes	May 1, 2020),
plurality of braces being shared by multiple			capable of covering of	https://www.merriamw
openings; and		Tessellation,	an infinite geometric	ebster.
a plurality of posts to deflect urine when the		https://www.lexico.co	plane without gaps or	com/dictionary/tessellat
reversible urinal screen is placed upon a urinal		m/definition/tessellati	overlaps. Otherwise,	ion (IMPACT000943-
surface, the plurality of posts connected to the		on (last visited May	indefinite.	949); Merriam
plurality of braces and positioned such that:		27, 2020)		WEBSTER'S
when the reversible urinal screen is placed upon the		• "An		COLLEGIATE
urinal surface in a first orientation, a first		arrangement		DICTIONARY (10th ed.
plurality of tips of the plurality of posts support		of shapes		1997)
the plurality of braces above the urinal surface,		closely fitted		(FRESHPR0000851).
and a second plurality of tips of the plurality of		together,		
posts are positioned above the plurality of		especially of		
braces, and		polygons in a		
when the reversible urinal screen is placed upon the		repeated		
urinal surface in a second orientation, the second		pattern		
plurality of tips of the plurality of posts support		without gaps		
the plurality of braces above the urinal surface,		or		
and the first plurality of tips of the plurality of		overlapping"		

posts are positioned above the plurality of braces, and wherein at least some of the plurality of braces comprise contoured upper and lower surfaces to deflect urine when the reversible urinal screen is placed upon the urinal surface in either of the first or second orientations.	Tessellation, Merriam Webster's Collegiate Dictionary (10 <sup>th</sup> ed. 1997)  • "1:  MOSAIC; esp : a covering of an infinite geometric plane without gaps or overlaps by a congruent plane figures of one type or a few types"
	Tessellate, Webster's New World College Dictionary (5 <sup>th</sup> ed. 2014)  • "to lay out, inlay, or pave in a mosaic pattern or small, square blocks—adj. arranged in a mosaic pattern; tessellated"

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"wherein at least some of the plurality of interconnected cells comprise a polygonal shape" (098 Pat., Claim 27)  098 Pat., Cl. 27. The urinal screen of claim 19, wherein at least some of the plurality of interconnected cells comprise a polygonal shape.	Plain and ordinary meaning.	'098 Patent claims 2, 25, 27-28, and 51-52. '924 Patent claim 8. '098 Specification: 1:34-64; 2:34-35; 3:26-40; 4:9-15; and 4:35-41.	Indefinite.	098 Pat., FIGS. 1-4, 1:34-36, 2:34-35, 3:28- 31, 4:9-14, 4:35-39, 8:33-35, 10:16-25. Declaration of Fred Smith, PE, CSP.
		Figures 1-4.		
		Rebuttal Report of Randy Hurd, PhD.		
"post"	Plain and ordinary	'098 Patent claims 1,	A protrusion.	098 Pat., FIGS. 1-6
(098 Pat., Claims 19, 38; 924 Pat., Claims 1, 21 and	meaning.	4-10, 14, 17-19, 23-	Otherwise, indefinite.	(22), 1:63-64, 2:23-27,
28)	If further defined, an	24, 29-33, 38, 40, 47, 51-53, and 55.		2:30-32, 4:5-8, 4:17-18, 4:22-34, 5:33-46, 5:47-
098 Pat., Cl. 19. A urinal screen comprising:	elongate element that	'924 Patent claims 1,		57, 5:63-66, 5:66-6:5,
a frame having:	serves as a support.	5-7, 14-18, 21, 25,		6:5-25; 924 Pat. File
a first face;	serves as a support.	28, and 32.		History, May 16, 2019
a second face opposite the first face; and		20, and 32.		IDS, at
a plurality of interconnected cells at least partially		'098 Specification:		FRESHPR0000151
defined by a plurality of braces that intersect at		Abstract, 1:26-64;		
comers, the plurality of interconnected cells		2:19-33; 2:38-57;		U.S. Pat. 10,267,027
comprising at least a plurality of perimeter cells		3:4-20; 3:27-40;		(IMPACT000875-910)
and a plurality of interior cells;		3:60-61; 3:66-4:8;		(FIGS. 3A-3G, 4A- 4C,
wherein the plurality of interior cells comprises a		4:16-34; 5:33-6:25;		5A-5E, 6A-6A, 7A-7B,
first cell, a second cell, and a third cell, said first		6:31-45; and 6:58-		8, 13A-13D and 14A-
cell and said second cell each partially defined		7:19.		14D, and text at 6:24-
by a first brace positioned between said first cell				41); U.S. Pat.
and said second cell, said second cell and said		Figures 1-6.		10,087,612
third cell each partially defined by a second				(IMPACT000830-874),

1	D. (Maniero	-+ FIC 10 A (1004)
brace positioned between said second cell and	Post, Merriam	at FIG. 10A (1004),
said third cell, and said first cell and said third	Webster's Collegiate	9:11-16, 9:28-30.
cell each partially defined by a third brace	<u>Dictionary</u> (10 <sup>th</sup> ed.	
positioned between said first cell and said third	1997)	
cell;	• "1 : a piece	
wherein each of the first brace, the second brace,	(as of timber	
and the third brace comprises a first end and a	or metal)	
second end, and wherein:	fixed firmly in	
the first end of the first brace intersects at a comer	an upright	
with the two other braces;	position esp.	
the first end of the second brace intersects at a comer	as a stay or	
with the two other braces; and	support:	
the first end of the third brace intersects at a comer	PILLAR,	
with the two other braces;	COLUMN"	
a plurality of first posts each connected to a brace or		
corner of the frame and extending from away	Post, The New	
from the first face of the frame, and	Lexicon Webster's	
a plurality of second <u>posts</u> each connected to a brace	Encyclopedic	
or corner of the frame and extending away from	Dictionary Of the	
the second face of the frame.	English Language	
	(Deluxe ed. 1989)	
098 Pat., Cl. 38. A urinal screen comprising:	• "1. n. a	
a frame having:	strong,	
a first face:	usually square	
a second face opposite the first face; and	or cylindrical	
a plurality of openings extending through the frame	piece of	
between the first face and the second face;	wood, metal	
a plurality of first posts extending from the first face	· · · · · · · · · · · · · · · · · · ·	
of the frame; and	etc., fixed or	
a plurality of second <u>posts</u> extending from the	meant to be	
second face of the frame;	fixed in an	
,	upright	
wherein a plurality of ends of the plurality of first	position, and	
posts form a base upon which the urinal screen		

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rests when the plurality of second posts point	serving as a	
away from a surface upon which the urinal	support"	
screen is set;		
wherein a plurality of ends of the plurality of second	Post, Webster's New	
posts form a base upon which the urinal screen	World College	
rests when the plurality of first posts point away	<u>Dictionary</u> (5 <sup>th</sup> ed.	
from a surface upon which the urinal screen is	2014)	
set;	• "a piece of	
wherein a number of said plurality of first posts and	wood, metal,	
a number of said plurality of second <u>posts</u> are	etc., usually	
positioned along a perimeter of at least some of	long and	
the plurality of openings, so as to surround the at	square or	
least some of the plurality of openings; and	cylindrical,	
wherein, when the urinal screen is set upon a surface	set upright to	
in a urinal such that the first or second face of the	support a	
frame is oriented toward the surface upon which	building, sign,	
the urinal screen is set, the frame is positioned	fence, etc."	
away from the surface by at least ¼ of a	• "anything like	
thickness of the urinal screen as measured	this in shape	
perpendicular to the first face of the frame, such	or purpose"	
that <u>posts</u> positioned between the frame and the		
surface upon which the urinal screen is set can		
reduce splashing on a user of the urinal by		
deflecting a flow of mine which passes through		
said plurality of openings.		
924 Pat., Cl. 21. A reversible urinal screen		
comprising:		
a plurality of interconnected cells that form a		
tessellation of openings,		
wherein a perimeter of each of a majority of		
openings of the tessellation of openings is at		
openings of the tessenation of openings is at		

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least partially defined by three or more braces of		
a plurality of braces, with a majority of the		
plurality of braces being shared by multiple		
openings;		
a solid portion positioned between at least some of		
the openings of the tessellation of openings, the		
solid portion occupying an area greater than or		
equal to ten of the openings of the tessellation of		
openings; and		
a plurality of <u>posts</u> to deflect urine when the		
reversible urinal screen is placed upon a urinal		
surface, the plurality of <u>posts</u> connected to the		
plurality of braces and positioned such that:		
when the reversible urinal screen is placed upon the		
urinal surface in a first orientation, a first		
plurality of tips of the plurality of <u>posts</u> support		
the plurality of braces above the urinal surface,		
and a second plurality of tips of the plurality of		
<u>posts</u> are positioned above the plurality of		
braces, such that at least a portion of the plurality		
of <u>posts</u> between the second plurality of tips and		
the plurality of braces can reduce splashing of		
urine impacting the urinal screen from above,		
and at least a portion of the plurality of posts		
between the first plurality of tips and the		
plurality of braces can reduce splashing of urine		
that has passed through the tessellation of		
openings, and		
when the reversible urinal screen is placed upon the		
urinal surface in a second orientation, the second		
plurality of tips of the plurality of <u>posts</u> support		
the plurality of braces above the urinal surface,		
and the first plurality of tips of the plurality of		

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posts are positioned above the plurality of		
braces, such that at least a portion of the plurality		
of <u>posts</u> between the first plurality of tips and the		
plurality of braces can reduce splashing of urine		
impacting the urinal screen from above, and at		
least a portion of the plurality of <u>posts</u> between		
the second plurality of tips and the plurality of		
braces can reduce splashing of urine that has		
passed through the tessellation of openings,		
wherein at least some of the plurality of braces		
comprise contoured upper and lower surfaces to		
deflect urine when the reversible urinal screen is		
placed upon the urinal surface in either of the		
first or second orientations,		
wherein, when the urinal screen is placed upon a		
horizontal surface, a thickness of the majority of		
the plurality of braces as measured perpendicular		
to the horizontal surface is less than or equal to		
½ of an overall thickness of the urinal screen as		
measured perpendicular to the horizontal surface,		
wherein a majority of the plurality of <u>posts</u> that are		
connected to the plurality of braces are		
connected at corners of the interconnected cells,		
wherein some openings of the tessellation of		
openings comprise a different perimeter shape		
than other openings of the tessellation of		
openings, and		
wherein the plurality of braces, the plurality of posts,		
and the solid portion comprise a fragranced EVA		
material.		
024 Pr4 Cl 20 A		
924 Pat., Cl. 28. A reversible urinal screen		
comprising:		

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a plurality of interconnected cells that form a		
tessellation of openings,		
wherein a perimeter of each of a majority of		
openings of the tessellation of openings is at		
least partially defined by three or more braces of		
a plurality of braces, with a majority of the		
plurality of braces being shared by multiple		
openings;		
a solid portion positioned between at least some of		
the openings of the tessellation of openings, the		
solid portion occupying an area greater than or		
equal to ten of the openings of the tessellation of		
openings; and		
a plurality of <u>posts</u> to deflect urine when the		
reversible urinal screen is placed upon a urinal		
surface, the plurality of <u>posts</u> connected to the		
plurality of braces and positioned such that:		
when the reversible urinal screen is placed upon the		
urinal surface in a first orientation, a first		
plurality of tips of the plurality of <u>posts</u> support		
the plurality of braces above the urinal surface,		
and a second plurality of tips of the plurality of		
posts are positioned above the plurality of		
braces, such that at least a portion of the plurality		
of <u>posts</u> between the second plurality of tips and		
the plurality of braces can reduce splashing of		
urine impacting the urinal screen from above,		
and at least a portion of the plurality of posts		
between the first plurality of tips and the		
plurality of braces can reduce splashing of urine		
that has passed through the tessellation of		
openings, and		

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		1	T	1
when the reversible urinal screen is placed upon the				
urinal surface in a second orientation, the second				
plurality of tips of the plurality of <u>posts</u> support				
the plurality of braces above the urinal surface,				
and the first plurality of tips of the plurality of				
posts are positioned above the plurality of				
braces, such that at least a portion of the plurality				
of <u>posts</u> between the first plurality of tips and the				
plurality of braces can reduce splashing of urine				
impacting the urinal screen from above, and at				
least a portion of the plurality of posts between				
the second plurality of tips and the plurality of				
braces can reduce splashing of urine that has				
passed through the tessellation of openings,				
wherein, when the urinal screen is placed upon a				
horizontal surface, a thickness of the majority of				
the plurality of braces as measured perpendicular				
to the horizontal surface is less than or equal to				
½ of an overall thickness of the urinal screen as				
measured perpendicular to the horizontal surface,				
wherein the perimeter of each of the majority of				
openings of the tessellation of openings				
comprises a plurality of corners, with a post				
being connected at each of the corners, and				
wherein the plurality of braces, the plurality of <u>posts</u> ,				
and the solid portion comprise a fragranced EVA				
material.				
"along a perimeter of at least some of the	Plain and ordinary	'098 Patent claims 38	Indefinite.	098 Pat., FIGS. 1-4,
plurality of openings, so as to surround the at	meaning.	and 53.		1:34-64, 2:14-18, 2:33-
least some of the plurality of openings"				60, 4:50-65, 5:33-46,
(098 Pat., Claim 38)		'098 Specification:		7:12-19.
		1:34-64; 2:38-60; and		
38. A urinal screen comprising:		5:33-46.		

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a frame having:		Declaration of Fred
a first face:	Figures 1-5.	Smith, PE, CSP
a second face opposite the first face; and		
a plurality of openings extending through the frame	'098 Patent FH: May	
between the first face and the second face;	23, 2018 Summary of	
a plurality of first posts extending from the first face	Interview.	
of the frame; and		
a plurality of second posts extending from the	Rebuttal Report of	
second face of the frame;	Randy Hurd, PhD.	
wherein a plurality of ends of the plurality of first		
posts form a base upon which the urinal screen		
rests when the plurality of second posts point		
away from a surface upon which the urinal		
screen is set;		
wherein a plurality of ends of the plurality of second		
posts form a base upon which the urinal screen		
rests when the plurality of first posts point away		
from a surface upon which the urinal screen is		
set;		
wherein a number of said plurality of first posts and		
a number of said plurality of second posts are		
positioned along a perimeter of at least some of		
the plurality of openings, so as to surround the at		
least some of the plurality of openings; and		
wherein, when the urinal screen is set upon a surface		
in a urinal such that the first or second face of the		
frame is oriented toward the surface upon which		
the urinal screen is set, the frame is positioned		
away from the surface by at least ¼ of a		
thickness of the urinal screen as measured		
perpendicular to the first face of the frame, such		
that posts positioned between the frame and the		
surface upon which the urinal screen is set can		

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reduce splashing on a user of the urinal by deflecting a flow of mine which passes through said plurality of openings.				
"at least some of the plurality of braces comprise contoured upper and lower surfaces"	Plain and ordinary meaning.	'098 Patent claim 54.	Indefinite.	924. Pat., FIGS. 1-4, 2:35-36, 3:65, 4:63-65,
(924 Pat., Claims 1, 21)	If fourth on doffined at	'924 Patent claims 1,		5:4-9.
924 Pat., Cl. 1. A reversible urinal screen comprising:	If further defined, at least some of the plurality of braces	4, 21, and 27. '098 Specification:		Declaration of Fred Smith, PE, CSP
a plurality of interconnected cells that form a	have non-planar	5:4-9 and 6:26-30.		Siliui, i E, CSi
tessellation of openings,	upper and lower			
wherein a perimeter of each of a majority of openings of the tessellation of openings is at	surfaces.	Figures 1-5.		
least partially defined by three or more braces of		Contour, Merriam		
a plurality of braces, with a majority of the		Webster's Collegiate		
plurality of braces being shared by multiple		Dictionary (10 <sup>th</sup> ed.		
openings; and		1997)		
a plurality of posts to deflect urine when the reversible urinal screen is placed upon a urinal		• "1 : an outline		
surface, the plurality of posts connected to the		esp. of a curving or		
plurality of braces and positioned such that:		irregular		
when the reversible urinal screen is placed upon the		figure"		
urinal surface in a first orientation, a first		riguic		
plurality of tips of the plurality of posts support		Contour, Webster's		
the plurality of braces above the urinal surface,		New World College		
and a second plurality of tips of the plurality of		Dictionary (5 <sup>th</sup> ed.		
posts are positioned above the plurality of		2014)		
braces, and		• "1 the		
when the reversible urinal screen is placed upon the		general shape		
urinal surface in a second orientation, the second		or form of a		
plurality of tips of the plurality of posts support		figure,		
the plurality of braces above the urinal surface,		configuration,		
and the first plurality of tips of the plurality of		etc. [the		

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	T		T	T
posts are positioned above the plurality of		rounded		
braces, and		contours of		
wherein at least some of the plurality of braces		the foothills]"		
comprise contoured upper and lower surfaces to				
deflect urine when the reversible urinal screen is		Rebuttal Report of		
placed upon the urinal surface in either of the first or		Randy Hurd, PhD.		
second orientations.				
924 Pat., Cl. 21. A reversible urinal screen				
comprising:				
a plurality of interconnected cells that form a				
tessellation of openings,				
wherein a perimeter of each of a majority of				
openings of the tessellation of openings is at				
least partially defined by three or more braces of				
a plurality of braces, with a majority of the				
plurality of braces being shared by multiple				
openings;				
a solid portion positioned between at least some of				
the openings of the tessellation of openings, the				
solid portion occupying an area greater than or				
equal to ten of the openings of the tessellation of				
openings; and				
a plurality of posts to deflect urine when the				
reversible urinal screen is placed upon a urinal				
surface, the plurality of posts connected to the				
plurality of braces and positioned such that:				
when the reversible urinal screen is placed upon the				
urinal surface in a first orientation, a first				
plurality of tips of the plurality of posts support				
the plurality of braces above the urinal surface,				
and a second plurality of tips of the plurality of				
posts are positioned above the plurality of				

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braces, such that at least a portion of the plurality		
of posts between the second plurality of tips and		
the plurality of braces can reduce splashing of		
urine impacting the urinal screen from above,		
and at least a portion of the plurality of posts		
between the first plurality of tips and the		
plurality of braces can reduce splashing of urine		
that has passed through the tessellation of		
openings, and		
when the reversible urinal screen is placed upon the		
urinal surface in a second orientation, the second		
plurality of tips of the plurality of posts support		
the plurality of braces above the urinal surface,		
and the first plurality of tips of the plurality of		
posts are positioned above the plurality of		
braces, such that at least a portion of the plurality		
of posts between the first plurality of tips and the		
plurality of braces can reduce splashing of urine		
impacting the urinal screen from above, and at		
least a portion of the plurality of posts between		
the second plurality of tips and the plurality of		
braces can reduce splashing of urine that has		
passed through the tessellation of openings,		
wherein at least some of the plurality of braces		
comprise contoured upper and lower surfaces to		
deflect urine when the reversible urinal screen is		
placed upon the urinal surface in either of the		
first or second orientations,		
wherein, when the urinal screen is placed upon a		
horizontal surface, a thickness of the majority of		
the plurality of braces as measured perpendicular		
to the horizontal surface is less than or equal to		

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½ of an overall thickness of the urinal screen as		
measured perpendicular to the horizontal surface,		
wherein a majority of the plurality of posts that are		
connected to the plurality of braces are		
connected at corners of the interconnected cells,		
wherein some openings of the tessellation of		
openings comprise a different perimeter shape		
than other openings of the tessellation of		
openings, and		
wherein the plurality of braces, the plurality of posts,		
and the solid portion comprise a fragranced EVA		
material.		